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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/839,495	04/23/2001	Kiyoshi Matsutani	Q63352	2595
7590 06/01/2006				
SUGHRUE, MION, ZINN, MACPEAK & SEAS, PLLC		EXAMINER		
2100 Pennsylvania Avenue, N.W.		GREIMEL, JOCELYN		
Washington, DC 20037-3202				
		ART UNIT	PAPER NUMBER	
		3624		

DATE MAILED: 06/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/839,495

Applicant(s)

MATSUTANI, KIYOSHI

Examiner

Jocelyn W. Greimel

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 April 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☒ Claim(s) 1 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date see attached.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Information Disclosure Statements: 12/16/2004, 07/31/2003, 09/20/2002, 04/23/2001

DETAILED ACTION

1. This communication is in response to Applicant's application filed April 23, 2001. Claims 1-15 are being examined.

Specification

2. The abstract of the disclosure is objected to because reference characters are used. Correction is required. See MPEP § 608.01(b).
3. Claim 1 is objected to because of the following informalities: misspellings and improper English ("among the own"). Appropriate correction is required and requested for any additional informalities in other claims.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
5. Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 1 recites the terminal "transmitting/receiving information." Additionally, claim 1 recites the limitation "predetermined information." These terms are vague and do not distinctly claim the subject matter of the application. Appropriate correction is required.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Hassett (US Patent No. 7,012,547, hereinafter Hassett). In reference to claim 1, Hassett discloses an information terminal apparatus comprising: communication means for transmitting/receiving information among the communication means (col. 3, lines 34-67; col. 4, lines 1-9), a server of a credit card firm, and a server owned by a settling financial institution which settles a charge requested from said credit card firm (col. 4, lines 10-18; col. 23, lines 53-67; col. 24, lines 1-13). Hassett additionally discloses processing means for executing a comparison process as to both credit card charge historical information issued from said credit card firm and balance account information saved in said settling financial institution, said credit card charge historical information being contained in the transmission/reception information of said communication means (col. 4, lines 10-18; col. 23, lines 33-45, 53-62). Further, Hassett discloses output means for outputting predetermined information based upon the comparison process result by the processing means (co. 4, lines 10-18; col. 8, lines 45-59, col. 13, lines 15-20; col. 23 – 25, lines 1-9).

8. In reference to claim 2, Hassett also discloses an information terminal apparatus wherein: said processing means comprises periodic charge information extracting means for extracting periodic charge information from the credit card charge historical information (col. 3, lines 7-11; col. 13, lines 15-21; col. 23 – 25). Hassett also discloses prediction means for predicting an estimated charge amount based on said extracted period charge information. Additionally, Hassett discloses a processing means executing the comparison process as said credit card charge historical information containing said estimated charge amount and said balance account information (col. 4, lines 10-18; col. 13, lines 15-21).

9. In reference to claim 3, Hassett discloses an information terminal apparatus wherein said processing means comprises taste information extracting means for extracting taste information of a user based upon shop use historical information, facilities use historical information, or shopping historical information, which are contained in the credit card charge historical information; and providing means for providing said taste information with a top priority which the shop or the facilities are retrieved (col. 4, lines 10-18; col. 23, lines 33-45).

10. In reference to claim 4, Hassett discloses an information terminal apparatus wherein said information terminal apparatus further comprises storage means for storing therein the taste information extracted by said taste information extracting means (col. 4, lines 38-43; col. 23, lines 53-67; col. 24, lines 1-3).

11. In reference to claim 5, Hassett discloses an information terminal apparatus wherein said storage means is constituted by a non-volatile storage medium; and said

storage means is arranged in such a manner that the taste information can be replaced with respect to an external appliance, while said storage means is detachable mounted on the information terminal apparatus, or is communicated to the external appliance (col. 3, lines 37-45; col. 8, lines 26-39; col. 23, lines 53-67).

12. In regard to claims 6 and 8, Hassett teaches an information terminal apparatus comprising input means for inputting first identification information used to specify a user; and identifying means for judging as to whether or not said user can use the credit card based upon said first identification information entered by said input means. Additionally, Hassett teaches the input means inputting second identification information which is transmitted from the communication means to both the credit card firm and the server of the settling financial institution so as to identify the user (col. 4, lines 44-54; col. 23-24).

13. In regard to claim 7, Hassett discloses an information terminal apparatus with input means utilizing a remote control operation by way of a wireless communication (col. 8, lines 40-44).

14. In regard to claims 9-13, Hassett discloses an information terminal apparatus with communication means comprising of: monitoring means for monitoring operation conditions of said communication means; and warning means for issuing a warning notice in the case that an abnormal operation is confined by said monitoring means (col. 8, lines 45-59; col. 13, lines 15-20; col. 30, lines 13-33). Also, the communication means comprise a releasing means for releasing the operation of either said monitoring means or said warning means by inputting therein third identification information used

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to identify the user; said monitoring means confirms the abnormal operation of the communication function under such a state that the operation of said monitoring means is not released by the releasing means, the warning notice is issued by said warning means; the communication means is further comprised of: positional move sensing means for sensing a positional move of said communication means and when said monitoring means confirms the abnormal operation of the communication function under such a state that the operation of said monitoring is not released by the releasing means, the warning notice is issued by said warning means (col. 4, lines 39-45; col. 8, lines 45-59; col. 13, lines 15-20; col. 30, lines 13-33). Further, when unfair information is entered into said releasing means under such a state that the operation of the monitoring means is not released by the releasing means, the warning notice is issued by said warning means (col. 4, lines 39-45; col. 8, lines 45-59; col. 13, lines 15-20; col. 30, lines 13-33).

15. Further in regard to claims 14-15, Hassett discloses an information terminal apparatus mounted on a mobile object (col. 3, lines 34-45); and processing means executes a comparison process as to toll road fee historical information supplied from an electric toll collection system, the credit card charge historical information, and the balance account information (col. 4, lines 10-18; col. 23, lines 33-45). Additionally, the information terminal apparatus mounted on a mobile object (col. 3, lines 34-45) has a processing means comprising taste information extracting means for extracting taste information of the user based upon either shopping historical information or shop and/or facilities use historical information, which are contained in the credit card charge

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historical information, and also travel path historical information supplied from the credit card charge historical information (col. 4, lines 10-18; col. 23, lines 33-45); and providing means for providing said taste information with a top priority while the shop, the facilities, or the route is sought (col. 4, lines 10-18; col. 23, lines 33-45).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jocelyn Greimel whose telephone number is (571) 272-3734. The examiner can normally be reached Monday - Friday 8:30 AM - 4:30 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached at (571) 272-6747. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jocelyn Greimel
Examiner
May 25, 2006

A handwritten signature in black ink, appearing to read 'H. Kazimi', with a stylized flourish at the end.

HANI M. KAZIMI
PRIMARY EXAMINER